JPRS 76434

16 September 1980

China Report

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

No. 117

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BRIEFS

JAPANESE YOUTH DELEGATION--A gala party was held in Nanjing Municipality on the afternoon of 28 August, with some 2,000 youths from all circles in Nanjing and 500 Japanese youths of a visiting Japanese youth delegation from Hyogo Prefecture attending. From the very beginning, the party was filled with warm friendship between the Chinese and Japanese youth. The Chinese youths sang Japanese songs and gave performances of folk martial arts, while the Japanese youths gave performances of dances and judo. The Japanese youth delegation is expected to leave Nanjing for Shanghai this afternoon. [OW291127 Nanjing Jiangsu Provincial Service in Mandarin 2300 GMT 28 Aug 80 OW]

U.S. DELEGATION IN TIANJIN--On 25 August, Hu Qili, mayor of Tianjin Municipality, received and feted the chairman of the U.S. Philadelphia-Tianjin Friendship Commission, who came to Tianjin 22 August to discuss with municipal authorities matters concerning art and cultural exchanges, as well as trade and tourist affairs. [SK310952 Tianjin City Service in Mandarin 2330 GMT 25 Aug 80 SK]

JAPANESE GROUP IN JILIN--At the invitation of the Jilin branch of the China Council for Promotion of International Trade, a Japanese observation group sponsored by the Japan Council for Promotion of International Trade arrived in Changchun 25 August. The deputy governor of the Jilin Provincial People's Government, (Zhang Yu), received the leader of the group. On the evening of 25 August the Jilin Branch of the China Council for Promotion of International Trade hosted a banquet in honor of the group. [SK311316 Changchun Jilin Provincial Service in Mandarin 1100 GMT 25 Aug 80 SK]

CSO: 4005

PARTY AND STATE

EMPHASIS PLACED ON FOLLOWING CENTRAL COMMITTEE DIRECTIVES

Hangzhou ZHEJIANG RIBAO in Chinese 15 May 80 p 3

[Lecture: "Uphold Party Central Unity and Strictly Observe Party Discipline"]

[Text] Resolutely upholding democratic centralism is our party's fine tradition. As party members, each of us must regard upholding party central unity and strictly observing party discipline as standards for speech and behavior. In this lecture we will emphasize discussion of this issue.

We older proletarian revolutionaries have made great contributions to strengthening party democratic centralism both in terms of theory and practice. Here we may bring up the example of the Red Army on the Long March. At that time, Zhang Guotao [1728 0948 3614], who took control of the leadership of the "Left" Route Army, refused the patient instruction of the CCP Central Committee and rejected the advice of his fellow army comrades Zhu De [4281 1795], Liu Bocheng [0491 0130 2110], Ren Bishi [0117 1732 2514] and He Long [6320 7893]. He seriously undermined party discipline and carried out in a big way the criminal activity of splitting up the party and the Red Army causing them to suffer enormous loss. In 1938, Comrade Mao Zedong summed up this lesson by pointing out: "In view of Zhang Guotao's action in seriously damaging discipline, it is necessary to reaffirm a new party discipline: (1) individuals are subordinate to the organization, (2) the minority is subordinate to the majority, (3) the lower levels are subordinate to the upper ones, and (4) the entire party is subordinate to the Central Committee. Whoever destroys this discipline will also destroy party unity." If comrades throughout the party follow the guidance of Chairman Mao and the CCP Central Committee, uphold party central unity and observe party discipline, then the thorough implementation of the party line would be guaranteed and the victory of democratic and socialist revolution would be achieved. Today, ten years after having undergone destruction at the hands of Lin Biao and the "gang of four," our party has absorbed these tragic lessons, and in the "Guiding Principles for Inner-Party Political Life," this fundamental

principle or organization has once again been reaffirmed. It has great significance for wiping out the pernicious influence of the ultra-leftist line and anarchism perpetrated by Lin Biao and the "gang of four" anti-party clique and for upholding and improving party leadership and advancing the building of four modernizations.

The principle of democratic centralism clearly defines the relationship between party organizations and party members and the relationship between organizations under the CCP Central Committee and local organizations. It demands that each party member must unconditionally obey the party organizations and resolutely execute party decisions. It does not matter whether a party member's position is high or low, their authority is great or small, they are all still a member of the party organizations must carry out the party organizations decisions. All comrades who entered the party early on know that our party constitution has always considered the proper handling of this relationship a party member's total responsibility. However, we often hear some comrades raise doubts by asking if the organizations' decisions are wrong, are we still supposed to carry them out? We answer in this way: first, you may feel that the organization's decision is in error but it may not necessarily be wrong. Second, supposing it is indeed wrong, then you can bring up your views to an upper level party committee. However, until the party committee at the upper or original level has changed the decision, except in those extremely critical situations where carrying out the decision can immediately result in serious consequences, the original decision must be carried out unconditionally. When Comrade Mao Zedong opposed the "Left" opportunist line of Want Ming [3769 2494], he did so according to this principle. In regard to Wang Ming's opportunist line and all his wrong decisions, Mao upheld the principle politically and repeatedly asserted his own correct viewpoint and strived to get the majority of the party's comrades to clearly see the incorrectness of the Wang Ming line. But organizationally he still followed the Central Committee's decisions at that time, even including the decision to be expelled from the Political Bureau. By acting in this way, Comrade Mao Zedong made the broad masses of party members to recognize and reject Wang Ming's incorrect line, which also avoided organizational division in the party. Some comrades pay lip service to learning from elder proletarian revolutionaries, but in action, ostensibly opposed the so-called "incorrect leadership" and refused to follow party resolutions. This is completely at odds with the principle of democratic centralism.

Presently, it is necessary to emphasize that the entire party be subordinate to the Central Committee. Earlier, everyone had studied Comrade Deng Xiaoping's report on "The Present Situation and Tasks" which made clear that the entire party should be subordinate to the Central Committee. It is the chief condition for upholding party central unity and also the fundamental guarantee for carrying out the party line, principles and policies. To cite an example, the relationship between the Central Committee and the entire party is much like that between one's mind and body in that all the organs in a body must be under the unified control

of the cerebrum before they can act in unison. If the cerebrum's control becomes inoperative, then the result is a paralyzed body. Thus, with local organizations and individual party members all resolutely upholding the Central Committee's centralized and unified leadership, it would not be possible to weaken such central unity and less possible to make excuses in resisting the Central Committee's guidance. Supposing there are certain party members who ostensibly pick up on such slogans as "independent thinking" and "don't blindly follow," and are opposed to party members having to keep politically in line with the Central Committee in upholding the principle. This is completely wrong. After the smashing of the "gang of four," and especially since the Third Plenum of the 11th Party Central Committee, everyone could see with their own eyes that our party's situation has already undergone fundamental changes, the political line resolutely supported by the people has alread been established, and the Fifth Plenum has also timely raised and solved the problems of the party's organizational line. This was completely sufficient to demonstrate that the party Central Committee's line is absolutely correct. Only by having our party can we have the qualifications to lead the people throught the country along the course of the four modernization to triumphantly lead the other shore. Looking back once again, we can see more clearly that everything we do, we must need the command of the party Central Committee. Before the country was liberated, even though the numerous party organizations were dispersed all over the country, some in base areas, some in the White area, some in military area and some in local areas, nevertheless because of the objective conditions at the time, they developed their own special characteristics. However, everyone complied with the Central Committee's directives and strict enforcement of orders and prohibitions, never doing things at their own will.

If it is the case that "when the general is away, his commands will not be fulfilled," then there cannot be a high degree of party central unity, nor can there be the strength to defeat Japanese imperialism and to destroy thousands upon thousands of KMT soldiers to achieve the great victory of liberating the entire country. At present, our party shoulders the heavy responsibility of leading the entire country in carrying out the building of the four modernizations. So it is even more imperative to unify thinking, unify policies, unify plans, unify commands, and unify actions, and not to allow engagements in decentralism. Any department or any lower level organization or party member who looks upon decision made by the party Central Committee with the attitude that they will do things as they see fit or go their own way, carry out those suited to their liking and not those which are not and openly or secretly put up resistance to the extent that they act without authorization to overturn and destroy party central unity, is doing something that party discipline simply do not allow.

Some comrades might perhaps say that in emphasizing the need to keep politically in line with the party Central Committee and in emphasizing party central unity, would it not strangle democracy or prohibit discussion of theoretical and policy questions relating to the great political nature of the overall situation? This kind of thinking is uncalled for. Our party

has always advocated the complete promotion of democracy, and on the basis of it, has carried out centralism and integrated the promotion of democracy with a high degree of centralism. As for the important issue of principles and policies, we advocate for speaking out freely and carrying out a thorough discussion in order that everyone's knowledge can be brought together to more effectively formulate and carry out the party line, principles and policies. However, this sort of discussion should be carried out within the party, especially in regards to the theoretical and policy questions of the important political nature of the decisions already made by the Central Committee. If party members have any ideas, he can bring them up through a certain organizational procedure. There absolutely will not be allowed in the press or broadcase expressions of opinions which are in opposition to the Central Committee decision. Views that are contrary to the party line, principles, policies and decisions also can not be disseminated among the masses. Some party members ostensibly use the slogan "promote democracy" to express their opposition to the Central Committee's decisions; other party members ostensibly use the slogan "liberate thinking" to indiscriminatly talk nonsense to shake up the four basic principles, all of which are actions that undermine the party discipline activity and which are incompatible with the party spirit of Communist Party members. Our comrades should understand that only by recognizing party guiding principles, putting into effect party resolutions, observing party discipline and striving to carry out the party line can they be Communists worthy of the name. Otherwise, you cannot be a qualified party member.

In this lecture, another important issue is that party members must unconditionally submit themselves to the organizations, handle one's personal problems in accordance with the principle that the interest of the party is supreme and conscientiously accept the party organizations' assignments, transfers and arrangements of one's work. During the war years, the broad masses of Communists fought north to south on many fronts for the people's liberation. No matter in what remote corner of the earth they may be or how many thousands of miles away from home, and no matter how tough the conditions or how precarious the situation, as soon as a command was given, they took immediate action without the slightest hesitation. Many teachers who have commanded the army and held important positions, without exception, have been like this. For instance, Comrade He Long had always recognized himself as just an ordinary party member, and no matter how the party arranged transfers for the units under his command, he would follow accordingly and whatever the party assigned him to do, he would do it, being completely convinced in carrying out the party's decisions. When the revolutionary martyr Comrade Li Dazhao [2621 1129 6856] was in an extremely desperate situation of having the warlords ordering for his arrest, his fellow comrades urged him to leave Beijing. He replied: "I cannot go. The party has not transferred me." For the cause of the party he died a hero's death when he was hanged by the enemy. This demonstrated a revolutionary warrior's noble qualities in completely serving the needs of the party. After China's liberation, the fine tradition of each party member following

the organizations' assignments has been carried forward. But the sabotage by Lin Biao and the "gang of four" caused some comrades to suffer "internal injuries." These comrades do not above all consider the needs of the party and the people and accept the organizations' assignments, but first want to find out if the assigned areas are good or bad, if the position is high level or low level, if conditions are tough or comfortable and if the pay is higher or lower before they decide whether or not to obey. These comrades should reject all selfish ideas and personal considerations and unconditionally obey the organizations' assignments. If they feel that their own work assignments are inappropriate, they can bring forward their own views. But after the party organization has taken all considerations into account and made its final decision, they must resolutely follow it. In connection with this is the safeguarding of party secrets and the strict observance of maintaining secrecy of discipline. We must uphold party spirit and oppose factionalism to resolutely take up the struggle with all factional activities and thoroughly eradicate the pernicious influence of Lin Biao and the "gang of four."

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NAN CHONG PARTY, CYL PERFORM IDEOLOGICAL EDUCATION

Chengdu SICHUAN RIBAO in Chinese 7 Jun 80 p 3

[Article: "Party and CYL Organizations at Nanchong Direct the Youth to 'Promote Things Proletarian and Eliminate Things Bourgeois']

[Text] Party and CYL organizations of the Silk Textile Mill at Nanchong, in view of the ideological reality of youth, took numerous measures and began education to promote things which are proletarian and eliminate things which are bourgeois.

This mill has more than 1,500 workers and employees of whom more than two-thirds are youths. During the past several years, some young workers, under the influence of certain undesirable social trends resulting from the disturbances and destruction caused by the ultra-leftist line of Lin Biao, the "gang of four," created ideological confusion. They were incapable of distinguishing between proletarian and bourgeois ideologies and lacked a correct philosophy of life as well as the quality of virtue. The mill party committee believed that, since the smashing of the "gang of four," particularly after the Third Plenum of the CCP Central Committee, there had been a great change in the political-ideological disposition of the young workers, but that there was still a small number of young workers who ignored the ideological trend in politics. Such a trend absolutely cannot be overlooked. The party committee felt that measures must be taken to promote among the young workers the education of promoting whatever was proletarian and eliminating whatever was bourgeois. Based on the actual situation at the mill, the party committee grasped the following three things emphatically:

1. It had a thorough understanding of the importance and necessity of spreading the idea of promoting whatever is proletarian and eliminating whatever is bourgeois. There is a young worker who belongs to the cleaning section of the spinning room in the back of the mill. Formerly, he had behaved as a thief in society. After joining the mill, he had not received any kind of enforced ideological education either. His old

"disease" thus came back. At first, the management of the mill only used such measures as "fines" or "exposing his crime by having him walk around the mill." These had little result. Later on the mill party committee started to give him ideological education and he was transferred to an advanced team where he was under the care of special personnel. Meticulous and patient ideological-political work was then carried out. Concern for his life and support for his work converted the young man rather quickly. This case has caused the party committee to realize that it is impossible to solve various issues connected with the nonproletarian thinking of youth merely by showing a simplistic and rough attitude or by taking purely economic measures. One will have to go through meticulous and profound ideological-political work to help youth establish a revolutionary philosophy of life and make them understand the purpose and meaning of their work thoroughly. Only this will enable them to develop their positivity and creativity to the full and serve the cause of the four modernizations.

2. In view of the fact that some youths had lost the stability of "belief, trust and faith" and some had admired the way of life of the bourgeoisie and pursued low level interests, the party guided the youths to distinguish between the right and the wrong and to self-consciously promote whatever is proletarian and eliminating whatever is bourgeois. The plant party and CYL organizations have opened up a sparetime school for workers, organized young workers to study the history of social development, given lectures on the thoughts of the youth, carried out discussions on such topics as "ideology, future and morality," "hold on to the four fundamental principles," etc. They also invited old workers and combat heroes to the mill to promote education in patriotism and revolutionary tradition, made conscious efforts to organize the youths to watch movies of a progressive nature from Hongkong and foreign countries, comprehensively undertook film evaluation and helped the youths to increase their political and ideological awareness and their taste and enjoyment.

3. They undertook activities peripheral to the central tasks which will fit the special characteristics of youth. Party and CYL organizations have established a reading room, TV room, and posted wall newspapers. They also broadcast programs with special topics on youth and commended good men and good deeds. On holidays there are TV shows, movies and dinner parties and activities such as garden-promenade and singing contests. During leisure hours, they organized the youths to plant flowers, grass and trees for the beautification of the environment in the mill area.

Through undertaking education to promote all that is proletarian and eliminate all that is bourgeois, the pattern of the political thought of the young workers of the whole mill has clearly been changed. A drive to "emulate heroes, establish new work styles and strive to be shock workers in a new Long March" is being widely undertaken in the mill.

9450
CSO: 4005

'PRESUMPTION OF INNOCENCE' NOT A VALID LEGAL CONCEPT

Beijing FAXUE YANJIU [STUDIES IN LAW] in Chinese No 3, 23 Jun 80 pp 30-33

[Article by Zhang Zipei [1728 1311 1014]: "An Analysis of the Principle of 'Presumption of Innocence'"]

[Text] Should the principle of "presumption of innocence," as advocated by the capitalists and stipulated by the laws of their countries, become part of China's criminal code? There has been disagreement on this point since 1956. We must summarize the good and bad examples over the past 20 years and research the question on the basis of "practice is the only standard for determining truth." This is necessary to liberate our ideology in legal circles, to stimulate the intellectual atmosphere, and to develop legal science.

I do not believe that China can treat an accused criminal as being innocent, and can even less adopt the principle of "innocent until proven guilty."

After the proletariat seized political power, the old national machinery had to be destroyed, and the old laws which protected the reactionary rulers had to be abolished. After we overthrew the Kuomintang clique, we abolished the "Lu Fa Quan Shu" promulgated by the Kuomintang reactionary government, as well as all other laws, orders, and legal systems which had oppressed the people. This was right. However, there are some old legal forms and legal concepts which we can use: for example, "equal protection under the law," "judicial independence," "collegiate system," "jury system," "public trials," and "council." This does not mean the adoption of the "spirit" or "reasonable content" of the law, but only the adoption of its form. The principle of "resumption of innocence" advocated by the capitalists is an unscientific ideological principle, and is not simply form.

"Presumption of innocence" is one of the principles of the capitalist criminal code. The first person to propose the theory of "presumption of innocence" was famous 18th century Italian enlightened scholar Beikeliya. He believed that prior to a verdict of guilty, no one should be

considered a criminal, and that until a suspect was found guilty of breaking a law, he should be protected by society. After the capitalists seized power, this has been used as a common legal principle in the constitutions and criminal codes of many nations. It first appeared in 1789 in Article 9 of France's "Declaration of the Rights of Man." "Everyone should be presumed innocent until he has been convicted of a crime." In the Italian constitution of 1947, Article 29 stipulates: "Prior to the final verdict, no one may be considered guilty." The New York State Constitution, Article 383, has similar stipulations.

In contrast to that of capitalists, the feudal criminal code treated suspects according to the principle of "presumption of guilt." All accused were presumed guilty. Therefore, the law stated that corporal punishment could be used on accused persons who denied their guilt. Suspects in cases where there was insufficient evidence were treated as guilty. The Tang code of China was based on the principle of presumed guilt. A defendant could be found guilty even if it could not be determined that a crime had been committed, but they could atone for their crimes with money, cloth, or horses. Those who had no money were punished as guilty. It was stipulated in the Tang code: "All suspects must atone for their crimes. Where the evidence and arguments for and against are equal, or where there is only circumstantial evidence, with no eyewitnesses and only hearsay evidence, the suspect will be considered guilty.[1] In the medieval codes of France and Germany there were similar stipulations.

That the capitalists have represented the progressive relations of production and opposed feudalism and have used the principle of presumed innocence to oppose the principle of presumed guilt is of significance in the progress of history. However, with the capitalists in power, especially after the consolidation of political power, they marched on with their spearhead pointed at the laboring peoples. The principle of "presumption of innocence" was used to cover the shame of the capitalist dictatorships. As for the laboring peoples, the private criminal code of the capitalists had already determined the fate of the accused, and it was idle fantasy to rely on an "impa...al judge" and the principle of "presumption of innocence" to be freed, to get a sentence lifted, or to get a fair trial. However, the principle of "presumption of innocence" is advantageous to the capitalists. For example, in France and the United States, it is stipulated in law that with the exception of serious crimes, the accused may be freed on bail or on personal recognizance prior to a verdict. However, if bail is set too high, poor people cannot afford it, and will stay locked up. Capitalist nations often deny the principle of "presumption of innocence" in legislation and practice. In Article 278 of the French criminal code it is stipulated: "Persons with no fixed residence or employment, or beggars or vagrants, will be punished if they are found to have on their person articles worth more than 100 francs whose origin they cannot account for." This shows that the unemployed, the hungry, and the homeless poor are not allowed to have valuables. If they have

1. "Tang Legal Code," Vol 30, p 11.

valuables, they are criminals, unless they can prove the origin of those valuables. This is really "presumed guilt" and places the burden of proof on the accused. Engles thoroughly exposed the capitalist criminal code by saying, "The accused must be given every protection; the accused and the king are equally sacred and inviolable.... All of the protections are against the person they are supposed to protect. The law should protect society, but it violates society. It should protect the accused, but it violates the accused." This is in complete accord with the exposure of the principle of "presumption of innocence."

In capitalist societies, the laboring people and the revolutionary forces must use the capitalist principle of "presumption of innocence" as a weapon to resist oppression and persecution by the capitalists and to expose black terroristic tactics, resist capitalist reactionary rule, and protect their own interests. This may result in a degree of control over unfounded arrest, charges, and verdicts by police, district attorneys, and judges.

Some comrades say, "The principle of presumption of innocence is an empty slogan used by the capitalists and cannot be a reality. However, in a socialist legal system it cannot be called fabricated, but feasible, and of actual significance. I think that in our people's democratic nation, under the leadership of the working class, the situation is different. We must not fabricate the principle of "presumption of innocence" to mislead the people, and we must not put into effect the contents of the capitalist principle of "presumption of innocence." The principle of "presumption of innocence" does not have any real significance in protecting the personal democratic rights of China's citizens. My reasons for this are as follows:

From a political analysis, simply stated, the purpose of our criminal laws is on the one hand to expose and investigate crimes and to punish criminals, while on the other hand it is to protect innocent persons from criminal prosecution. The principle of "presumption of innocence" is of no assistance in this task. The feudalistic principle of "presumption of guilt" can cause our investigators, procurators, and judges to commit errors of the "left." Lin Biao and the "gang of four" carried out feudal fascism, and there were many cases of injustice, false cases, and wrong judgments, all because of "presumed guilt." "Presumed innocence" is at the other extreme. It can cause our investigators, procurators, and judges to commit errors of the right. For example, in those criminal cases that were reexamined in 1956, only a small minority were found not guilty after the first and second trial. On the basis of "presumption of innocence" prior to sentencing, most of the criminals would be presumed to be innocent. This would be sheer fabrication and not in accord with the facts. This could easily lead to not arresting those who should be arrested, not charging those who should be charged, and not sentencing those who should be sentenced.

2. "Complete Works of Marx and Engels," Vol 1, pp 698-699.

From a perceptional analysis, the principles of "presumption of innocence" and "presumption of guilt" are both subjective materialism. Presumption of innocence is not in accord with the development of laws for our investigators, procurators, and judges in clarifying crimes. From the beginning of a criminal case until the sentence is handed down, as far as investigators, procurators, and judges are concerned, the question of whether the accused is guilty or innocent is a dialectical process of cognition. Only after they have determined by law and the facts that the accused is guilty do they arrest, arraign, bring to trial, and sentence the accused. If it is determined that the accused is innocent, then there is no requirement for a criminal investigation. If an investigation has already been carried out, the case is thrown out, and the accused is not arraigned or is declared not guilty. If the facts are not clear and the guilt of the accused cannot be ascertained, then the investigation may continue, or additional investigations may be made. If there is insufficient evidence to determine guilt after a legally specified period of time, or there is equal evidence for and against the accused and equal arguments for both sides and suspicions cannot be confirmed, then the accused should be declared not guilty and be released. However, this has nothing to do with the principle of "presumption of innocence." In a criminal lawsuit in a clear-cut, active criminal case (where the criminal was arrested at the scene, for example) the investigators may use force. In more complex cases, evidence is normally gathered first, and when a suspect is discovered from the evidence and when there is ample evidence to determine that a certain person has committed a crime, then force is used. After the accused has been apprehended and arrested, the investigators must still question the accused as to whether or not he confesses to the crime, and they must still gather evidence. They must sort out the facts and check out whether the basis and conclusion that led to apprehension and arrest were correct. When the public security organs have completed their investigation and have determined the accused is guilty and should be legally prosecuted, only then is there a recommendation made for or against indictment, which is then sent to the people's procurator. If no criminal act has been committed, or if it cannot be proved that it was committed by the accused, or if there should be no criminal lawsuit, then the case should be dismissed. If the investigation and indictment by the people's procurator determines that the crime of the accused has been clearly investigated, the evidence is accurate and complete, and criminal proceedings should be taken, then an indictment is returned to the people's court. If it is felt that the accused is innocent, or if one of the conditions stipulated in Article 11 of the criminal indictment code is not met, then a decision must be reached not to indict. If it is proved that the accused has committed a crime but need not be legally punished, then a decision is made for an exempted indictment. Only after the people's court hears the case and determines that the accused is guilty is a decision made on sentencing. Otherwise, the court must reach a decision of not guilty or return the case to the procurator for further investigation. To prevent possible errors, there is a system of appeals. If the accused or the people's procurator appeals or objects to the decision of the first court, then the court of second instance must rehear

the case. Only after the court of second instance makes a decision on the case is the verdict determined. It can be seen from the legal processes described above that the investigators, procurators, and judges proceed with each step of investigation, arrest, indictment, first trial, and appeal on the basis of the determination that the accused is guilty. Also, as the case continues, at each different step the process of cognition of guilt gradually deepens. Therefore, the requirement of the principle of "presumption of innocence," which holds that before a legal verdict is reached the accused must be presumed innocent, is not in accord with the investigators', procurators', and judges' understanding of the facts, but is subjective idealism.

From an analysis of the legal significance, some people say that the principle of "presumption of innocence" means that the accused may not be declared guilty until a verdict has been reached, and that this has nothing to do with the cognition of the investigators, procurators and judges. In criminal proceedings, although the cognition of the investigators, procurators, and judges cannot be exactly the same as the legal effect, the two are basically the same. Because the investigators, procurators, and judges follow legal procedures and are public employees whose special task is to struggle with crime, their understanding of the guilt of the accused is based on facts which must all be demonstrated through a legal sequence. In other words, indictment proceedings which are expressed through legal (sequence) form are the result of the confirmation of the investigators, procurators, and judges. The decision for apprehension, arrest, indictment, and first trial verdict by public security, procuratorate, and courts all have legal effect and are not just legally effective after the verdict is reached. The legal effects of legal actions during the different steps of the legal case are all different. The legal effect of arresting the accused is that he must be deprived of his personal freedom for a certain period of time. The legal effect of an indictment by the procurator is to request the court to bring the accused to trial, and the accused will be tried through due legal process in the court. If the accused is found guilty and sentenced, the legal effect is that the accused will be delivered for the term of his sentence, provided the accused or the procurator does not appeal or object to the decision or, if there is an appeal, provided that the appeals court upholds the original decision. Therefore, in view of legal effect, the principle of presumed innocence does not make any sense.

If, based on the principle of "presumption of innocence," the accused is presumed innocent until the verdict of the court is announced, then, since the accused is presumed innocent, why should an innocent person be arrested and indicted? Isn't this a contradiction? The requirement of "presumption of innocence"--that the guilt of the accused shall be decided by a decision of the court--is also not scientific. The law says that the accused is the person who is being prosecuted and may be sentenced. After the verdict of the court, the accused may be found guilty and punished, or he may be found innocent. But both before and after the

verdict is reached, there is the possibility that the accused is guilty, and it is also possible that he is innocent. Under normal circumstances, most accused are guilty. It is very seldom that a verdict of not guilty is reached by the first court. This is because, prior to the accused person's being found guilty or innocent, his arrest, indictment, and trial by the first court were all based on the gathering of accurate and ample evidence and a determination that the accused was guilty. If a verdict of guilty is reached by the first court or the appeals court, then the accuracy of the verdict should be reliable. However, it has been proven through practice that verdicts can be wrong. Innocent people can be found guilty and sentenced. That is why a process of appeals and review has been established by the criminal code. During the feudal fascist dictatorship of Lin Biao and the "gang of four," 40 percent of the political cases [decided] during the Cultural Revolution were in error. In some areas this reached 60 and 70 percent. Normal criminal cases run about 15 percent. Even prior to the Cultural Revolution as well as after the smashing of the "gang of four," some mistaken verdicts were rendered. It is only that the ratio is smaller. Therefore, using the verdict of the courts as the standard for determining guilt is unscientific and has no real significance.

The capitalist principle of "presumption of innocence" is an abstract concept of the so-called "protection of human rights"; it has not produced any binding rights or obligations between the police, district attorney and judges and the accused. That is to say, the accused is not granted any specific special protection prior to a verdict because of the principle of his "presumed innocence." So this nothing more than an empty slogan. Although we have not adopted the capitalist principle of "presumption of innocence," an accused person's personal and civil rights are still fully protected. The criminal code stipulates that "extracting testimony through torture," "unlawful confinement," "unlawful surveillance and search," "perjury," "framing," "bribery," "bending the law for the benefit of friends and relatives," and "cruel and unusual punishment" are all criminal offenses and are strictly forbidden. The accused is not an object for humiliation, abuse, or display, but is an involved party with broad civil rights. While an accused is being prosecuted or has been incarcerated, he enjoys the following rights: 1. He has the right to charge investigators, procurators, and judges with violating his civil rights or humiliating his person. 2. He has the right to demand that an investigator, procurator, judge, clerk, or guard leave. 3. He has the right to use his own native spoken and written language during the proceedings. 4. If he is forcibly detained without the necessary legal documents, he has the right to resist. If his apprehension and arrest extend past the legal time limits, he has the right to demand his release. 5. He has the right to call witnesses, to present evidence, and to ask for reappraisal and review. 6. If he does not agree with the indictment decision, he has the right to appeal to the procuratorate. 7. When the court decides to try the case, he has the right to counsel and to obtain a copy of the indictment within 7 days prior to trial. 8. He has the

right to question witnesses and appraise the evidence, and he has the right to refute the charges and to make a final statement. 9. Within the legally specified period following the judgment of the first court, he has the right to appeal to a higher court. 10. He has the right to appeal the verdict.... These rights of the accused must not be denied or infringed upon under any pretext. If the accused can use the rights to prove his innocence, or that he is guilty of a lesser charge, this will help the investigators, procurators and judges to clear up the objective facts of the case and will prevent onesidedness.

Some comrades say that many facts show that if the principle of "presumed innocence" is not upheld, then we are supporting the principle of "presumed guilt." [They say that] the principle of "presumed innocence" can overcome prejudice against the accused, and that it aids in the objective and complete gathering of evidence. In our criminal code it cannot be said that we must uphold either the capitalist principle of "presumed innocence" or the feudalistic principle of "presumed guilt." The principle of "presumed guilt" is a feudalistic principle that is rejected even by the capitalist nations. Naturally none of us would advocate adopting such a principle. But rejecting the principle of "presumed guilt" does not mean that we must adopt the principle of "presumed innocence." By analogy, when we overthrew the old national organs of feudal comprador bureaucracy, we did not have to establish a capitalistic democracy, but instead we established a proletarian dictatorship. We opposed the feudal criminal system, but we did not establish a criminal system that served the capitalistic dictatorship. What we did establish was a criminal code guided by Marxism-Leninism and Mao Zedong Thought, based on our socialist national constitution, and reflecting the specific experiences of the proletarian dictatorship. The experience of the proletarian dictatorship shows that the correct guiding principle should be to: seek truth from facts, investigate and study, give weight to evidence and not slight written and oral testimony, verify all evidence, and forbid forced extraction of testimony. If these principles are upheld, complete and objective evidence will be gathered, and cases will be cleared up without prejudice. The principle of "presumption of innocence" only prevents a bias toward guilt, and actually is a bias toward innocence. This can lead to being soft on criminals, and it does not help in the struggle against crime.

If the principle of "presumption of innocence" became one of the principles of our criminal code, it would only disrupt our ideology and would not help prevent wrong judgments. Therefore we are absolutely correct in not adopting the principle of "presumption of innocence."

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CSO: 4005

INGENIOUS WORK FOR EDUCATION OF PARTY MEMBERS REPORTED

Shanghai JIEFANG RIBAO in Chinese 15 Jul 80 p 2

[Staff report: "Auxiliary Food Products Company of Southern Municipal District Adopts Various Methods; Launches Education Work in Conjunction With Actual Situation of Party Members' Thinking"]

[Text] In carrying out its education work among party members, the party committee of the Auxiliary Food Products Company of the Southern Municipal District is combining its education on basic knowledge about the party and its education on party regulations and party laws with its attempt to solve the matter of party members' realistic thinking, and hence it is elevating the ideological consciousness of the party members on the one hand and promoting its work of providing the market with adequate supplies on the other hand.

This company is charged with the responsibility of supplying auxiliary food products to several hundred thousand people in the district. Whether or not this task is accomplished well is related to the larger question of whether people in the whole district can lead a stable life and concentrate on their work for the four modernizations. On the basis of this characteristic, the company party committee, in carrying out its education work among the party members, first of all undertook to conduct an investigation of the ideological condition of the party members in a deepening way; in so doing it discovered that a salient problem which existed among party members within the company's own system was that they placed a premium on practical benefits and set their hearts and minds on comforts, they were lax in their behavior toward organization and discipline, and they tended to violate existing policies in their supply work, and so on. In response to these problems, since September of last year, the company party committee has adopted methods such as rotational training of party members and regular education of party members, so as to get party members to combine the actual situation of their thinking with the study of "Guiding Principles for Inner Party Political Life," the new party constitutuion (draft), and "Basic Knowledge About the Party." It has also divided the study into special topics while proceeding with the discussion. The results have turned out to be fairly conspicuous. For

instance. In an attempt to solve the question of laxity toward organization and discipline on the part of a small number of party members and disobedience of assignments made by the organization, the secretary of the company party committee, when making a report to the party members, took the initiative of including himself in the report, discussing the ideological process of how he himself resolutely abided by the assignments he received by "quitting twice and returning twice" to the Auxiliary Food Products Company. Some old party members also told their respective experiences of doing whatever the party asked them to do. Then the party committee guided everybody to discuss their perceptions and look for the differences. Not a few comrades thus consciously examined and criticized erroneous thinking such as "when reassignments are received they start to talk about conditions; when resolutions are supposed to be carried out they think only about their own convenience; when resisting or arguing against a command they are full of vigor; but when carrying out their tasks their lax attitude seems nothing unusual." One party member said: "In the beginning, we shared a common mind and a common effort with the party, but later we came to grumble against heaven and earth. In the beginning we did whatever the party asked us to do, but later we came to insist on bargaining and talking about conditions." In the course of this study, everybody took the question of whether a party member obeys the assignment of his organization and raised it to the h'gh level of whether he is fit to be a party member, so as to understand the question more clearly. Consequently, when the jobs of more than 10 comrades were reassigned this time during the reelection of the company party committee and the dismantling and merger of auxiliary food products stores under its jurisdiction, they all cheerfully obeyed the orders.

In order to solve the notion about "placing a premium on practical benefits and setting one's heart on comforts" which existed among some of the party members, the company party committee organized everyone to study the "guiding principles" and the new party constitution (draft), guided the party members to combine the thorough carrying out of the party line with the satisfactory fulfillment of their task on providing the market with adequate supplies, and launched a study and discussion around the question of how to uphold and carry out the party line and how to serve the people wholeheartedly. In the course of the study, many comrades said: "So that we party members of the trade of auxiliary food products can devote ourselves to the four modernizations, we must think of all ways and means to do well our work of providing the market with adequate supplies and serve the consumers wholeheartedly." The vast ranks of the party members took the lead to humbly listen to the opinions of the consumers and worked to improve their service attitude. Some of them undertook to deliver goods to the doors of families of martyred soldiers and to old, weak, sick and handicapped customers. Some of them undertook to put up more stalls on festivals and holidays for the convenience of the customers. For the sake of broadening the sources of supplies, some party members traveled far and wide without thinking about the toil and fatigue involved, running back and forth between several dozens of ports and wharves of quite a few provinces and municipalities in order to purchase certain small

water products. During a certain period, the supply of apricot-pip shrimps exceeded demand and hence could not be sold. The party members therefore mobilized the workers to shell them and produced more than 11,700 din of shrimp meat. From January to May this year, this company took upon itself to purchase as much as 65,814 dan of vegetables just to make a contribution to enrich the market supplies.

As for questions of policy violation, such as shortchanging the customers on quantity and quality, deliberately mixing up specifications, and arbitrarily selling products in combinations, etc., the company party committee adopted the method of giving party lectures so as to carry out its work with a definite purpose within the party ranks. When they discovered examples of advanced work, they praised them in a timely way; when they discovered problems, they sought to solve them in time. Thus they asked all party members to guard well the crucial points of the policy course. Through education, policy concept among the party members were further heightened. Various vegetable markets and stores generally established and/or improved their price-control systems; leading cadres went deep down to the basic stall and team level to inspect systems designed to manage policy execution. One particular vegetable market, apart from educating its party members to rectify their management thinking and improve their service attitude, also undertook to inspect the market's 70 measuring scales. Some party members thereby took the lead to exalt the spirit of "not selling even a half ounce short" and "making up with an onion plant if 5 li are found to be short," so as to achieve real fair play in the transaction. Upon the initiative and influence of the party members, workers at these various vegetable markets and stores reinforced their policy concepts. The other day, the municipal commerce bureau and special trades company selected some vegetable markets at Dongjiadu for inspection without warning, but they found no price policy violations.

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PARTY AND STATE

SHANGHAI PLANT'S PARTY UNIT HOLDS CRITICISM MEETINGS

Shanghai JIEFANG RIBAO in Chinese 15 Jul 80 p 2

[Staff report: "Party Committee of No 7 Plant of Shanghai Cotton Mill Insists on Holding Good Meetings on Democratic Life"]

[Text] The leading group of the party committee of No 7 Plant of the Shanghai Cotton Mill insists on carrying out the system of democratic life. It regularly effects exchanges of ideas, launches criticism and self-criticism, and hence has strengthened the building of the leading group's ideology and work style.

At the beginning of last year, this plant set up a new party committee. To strengthen its own construction, the party committee's leading group established a system of meetings on democratic life. Since January of last year they have continued to experience democratic life once every quarter without interruption. Up to the present, they have already done so five times. The leading group of the party committee launched these democratic life activities mainly around the accomplishment of production tasks and examination of problems that exist in the various types of work, thereby letting everyone relate his thinking and working style to one another and develop criticism and self-criticism accordingly. In order to have a good experience in such democratic life, they also convene various forums prior to holding those meetings so as to listen to opinions the party members and the masses might have so that the leading group and the secretary of the party committee can thus gather them and report to everybody at the meetings.

During the first quarter of last year this plant, while participating in a 500-point contest among plants of the same trade, earned only 267 points and thus ranked last in the trade. In response to this situation, members of the party committee at the quarterly meeting on democratic life related to each another their respective division of labor, inspection of work, inspection of ideology and work style, carried out criticism and self-criticism, and fiercely rectified themselves after the meeting. As a result, the plant was able to win a superior rank in the contest during the second quarter. This time, they again proposed the question at the

meeting on democratic life: "What should we do in the face of good results?" They then proceeded to look for problems and find defects in good results, too, and they thereby developed further criticism and self-criticism and sought to achieve even more advanced work.

The meetings on democratic life discuss not only problems in work but also problems in ideology, e.g., what defects there may ordinarily be in the thinking and work style of members of the party committee--such as the secretary of the party committee giving insufficient scope to democracy, the work style of some members not being sufficiently penetrating, their determination of questions not daring enough, their not paying attention to the effects of their words, etc. Once they found these out, they all sought to present them in a timely way at the meetings so as to attract the attention of the comrades concerned and take preventive measures against any worsening.

Because all the members regularly communicate their thoughts to one another and mutually help and supervise one another, members of the party committee are able to make strict demands of themselves and set themselves up as good examples among the masses. Five of the nine party committee members, for instance, have children working on farms; even though, according to established policy, some may retire their children early and allow them to go back to the cities and take over other people's jobs, they all have proven capable of taking the whole situation into consideration, overcoming difficulties, and doing their work well. For example, the secretary of the party committee has only one daughter, who has been assigned to work in Zinjiang; he himself suffers from high blood pressure, but he has never demanded that she be transferred to Shanghai to work because she is his "only offspring." In their ordinary work, members of the party committee are also able to support one another and coordinate closely among themselves. When the nine party committee members have anything to say, they say it at the meetings, so that their thinking is unified even while their work is divided. When they encounter problems, they actively proceed to take care of them and discuss them together. So everybody these days is saying with profound understanding: when the leading group is well united and their heavy burden is shared collectively, the more they work together, the greater is their zeal.

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CSO: 4005

ROTATIONAL TRAINING OF PARTY MEMBERS IN SHANGHAI AREA

Work Conference

Shanghai JIEFANG RIBAO in Chinese 17 Jul 80 p 1

[Staff report: "Propaganda Department and Organization Department of Municipal Party Committee Jointly Convene Experience Exchange Conference; Strengthen the Rotational Training of Party Members and Raise the Quality of Education"]

[Text] In order to further promote the development of work of educating party members, raise the quality of party member education, and consolidate and develop the results of the rational training of party members, the Propaganda Department and Organization Department of the municipal party committee yesterday afternoon jointly convened an all-municipality party member education work experience exchange conference. Attending the conference were more than 950 cadres in charge of education work in the propaganda and organization units of various departments, commissions, offices, districts, counties, bureaus, and part of the company party committees (party groups). Vice Minister Wang Shengtang [3769 3932 1016] of the Organization Department of the Municipal Party Committee presided over the conference.

At yesterday's meeting, five units presented statements. The party committee of the First Medical College of Shanghai introduced their experiences in training party members by adopting, in response to the ideological realities within the party, the method of studying while checking and inspecting in order to strengthen the firmness of party members' belief in communism and to raise his consciousness while carrying out the party's line, principles and policies. The party committee of No 4 Construction Engineering Company of the municipality introduced their experiences in combining theory with reality to strengthen party member eudcation and get the thinking of party members to conform to the party line. The party committee of No 31 plant of the Shanghai Cotton Mill introduced their understanding of how, after the general rotational training of party members, to consolidate and develop the results of rotational training and do a good job of regular education work. The

party committees of the Municipal Foreign Trade Bureau and the Jingan District Service Company, respectively, discussed their experiences in and understanding of "insisting on party member education, improving the fighting stamina of the party" and "closely combining with reality, carrying out ideological and political education work in a deepening way." In addition, the party committee of Jiading County, the Light Industry Bureau of the municipality, the Auxiliary Food Products Company of the Southern Municipal District, the No 2 Plant of the Shanghai Cotton Mill, JIEFANG RIBAO, and similar units presented written statements.

The vice minister of the Propaganda Department of the Municipal Party Committee, Jiang Lan [3068 1526], spoke at the meeting. He reminisced and summed up the situation of party member rotational training in the municipality during the past half year and more, and made suggestions on the next step of work. He pointed out that during the past half year and more, through rotational training, the vast ranks of the party members further rectified their ideological andpolitical line and raised their consciousness in carrying out the party's line, principles and policies; party conceptions were generally strengthened; factionalism and anarchism were overcome to an extent; the party's system of democratic centralism and organizational discipline were reinforced; and the role of party members as vanguards and models was given greater scope. Thus, results have been conspicuous. But at present this work is not developing evenly: 15 percent of the units still have not taken up rotational training work, while a small number of units are not clear on the requirements of rotational training, their measures are not effective, and their results are hardly great. To boost rotational training work a step further, Jiang Lan proposed:

1. As the most important aspect of our work in educating party members, we must make a clear distinction between the right line and the wrong line and raise party members' consciousness in carrying out the party line, we must raise the party members' political and ideological consciousness, and we must really make our thoughts and deeds conform to the party line.

2. The rotational training of party members must use the "guiding principles" and the new party constitution as its basic teaching materials, and, gathering the strengthening of party character, make the need to become qualified communists its point of emphasis. At present, we must make antifeudal thinking and ideology an important content of our rectification of the party's working style, and we must further eliminate the remnant poison of Lin Biao and the "gang of four" so as to resist the inroads of all nonproletarian ideas.

3. We must insist on the principles of proceeding from actual situations and uniting theory with reality. In the course of each rotational training class we must do things that have a definite purpose by solving one or two tendentious practical questions, pay attention to practical results, and guard against perfunctory performances.

4. Rotational training of party members must be combined with regular party member education; it must seek to summarize typical personalities, exalt advanced workers, strengthen the party's organizational life, insist on the system of "a lecture after every three meetings," and make organizational discipline strict.

5. Party organizations at various levels must grasp party member education work well and in a down-to-earth way, and pay attention to training core cadres. Leading cadres must give party lectures for the benefit of party members, serve as their tutors at fixed intervals, and participate in rotational training as ordinary party members.

The conference emphatically pointed out: Prior to the convening of the 12th Party Congress, party organizations at various levels must closely grasp the education of the whole body of party members on ideological lines and political lines and, on the basis of a general raising of their perception, adopt methods of the gentle breeze and mild rain--i.e., of patient and careful guidance--to develop criticism and self-criticism, give scope to preliminary achievements, consciously rectify various devious styles of work, fulfill the duties of a Communist Party member, give full play to a party member's role as vanguard and model in the work of the four modernizations and thereby express with practical action our welcome of the convening of the 12th Party Congress.

Practice in Jiading County

Shanghai JIEFANG RIBAO in Chinese 17 Jul 80 p 1

[Staff report: "Closely Grasp the Fundamental Task of Rectification of Ideological and Political Line; Rotational Training Work for Party Members in Jiading County Wins Initial Success"]

[Text] Beginning in March, the Chinese Communist Party's Jiading County Committee started to gradually launch its rotational training work for party members. Up to the time of the "three summers" busy season, 68 terms of the party training class had been held in the county's 23 communes and townships, and 14,273 party members altogether had undergone rotational training; they made up 82.8 percent of the total membership of the party in the countryside.

The rotational training work of this county, in grasping the fundamental task of rectifying its political and ideological line, and taking the "guiding principles" and the draft of the new party constitution as its main content, insisted on positive education, gave scope to the spirit of rectification, developed criticism and self-criticism, and hence enabled the vast ranks of party members to raise their consciousness in carrying out the party's line, principles, and policies, to strengthen their party concepts, and to achieve preliminary results in the rectification of devious styles of work. Many party members reflected: "The

study this time is like a 'refueling' and 'reminding' operation along the road of our new long march, after which our thinking becomes immediately clearer, as though a handful of alum powder has been just put into a tank of muddy water."

Their approaches included the following:

1. Leaders taking the lead in looking at themselves in front of a mirror, revealing their thinking, and setting themselves as examples. During this rotational training operation, the secretary of the county party committee personally conducted investigation and study, held open forums, took the first step in setting an example by giving a lecture to the rotational training class for party members in Chengdong Commune, and took the lead in consulting the "guiding principles" when discussing the insights he gained during the study. Secretaries of various township and commune party committees likewise personally attended the class. According to available statistics, there were, altogether, 184 such person/times in terms of attendance at the class by secretaries and deputy secretaries personally. In taking the lead to look at himself in front of a mirror and revealing his thinking at the rotational training class, the secretary of the Chengdong Commune Party Committee said: "After land reform, I was willing to serve as a cadre without pay. At that time, I thought mostly of the revolution and very little about my family--mostly of the masses and very little about myself. Today it has occurred to me that, after 30 years of devotion to the revolution and serving as secretary of a commune, I was still getting only 60 yuan [per month], not even comparable to a commune member; I therefore felt that I was really short-changed while serving as a cadre. But after I studied the "guiding principles" this time and compared myself to what I used to be, I discovered a big gap and I really felt ashamed." Leaders of the county party committee and commune party committee thus took the lead in having their thinking totally exposed and discussed in a very sincere and genuine manner. After listening to them, the party members were greatly moved and their thinking also became very lively. They took turns diligently checking against the "guiding principles" themselves, discussing their insights gained during the study, revealing their thinking, and consciously proceeding to carry out self-criticism.

2. Old party members discussing [the party's] traditions and developing self-education. There were 468 old party members in the rotational training classes of various communes and townships who recalled their past, and compared the present with the past, and discussed the revolutionary traditions they knew about. Some of these old comrades were old party members since the time of the anti-Japanese war and the war of liberation; not a few of them were old cadres who joined the party during the land reform. They recalled the glorious tradition of how, in those days, they always rushed to the forefront as shock troops and lingered behind when in retreat, how they craved suffering first and enjoyed pleasure last. They then compared this to their present state of mind

of "feeling apprehensive about becoming short changed while taking the lead, and having fewer years to live if they put up a hard struggle." This further led to a demonstration of their determination to devote themselves to the revolution clear to the end. The process not only invoked their sense of glory, their sense of pride, and their sense of responsibility, but also served as live teaching materials in educating the new party members about the party's traditions. Party member and cadre Shi Zhitao [4253 0037 3447] of Nanxiang township, who joined the party in 1953, was originally rather negative in his thinking. He had asked for a long sick leave of three years, thinking of going elsewhere to do some sightseeing and spend his late years in life peacefully. Through the study at the party training class and his recall of the revolutionary traditions, he began to feel uneasy. He said: "I am a communist; when others are doing their best to work for the four modernizations, how can I hide myself at home to seek leisure and enjoy serene pleasure?" Today he has already undertaken to serve as secretary of a street party branch and to devote himself to his work with the zeal of the 1950's; he is being praised by everybody. Many party members reflect: When old party members discuss traditions, people can see them, feel them, and learn about them; the enlightenment is great and the instructiveness is profound. This is really a good way for party members to educate themselves.

3. Establishing typical personalities and exalting advanced workers. When organizing party members to study the "guiding principles," party committees of various communes and townships, apart from combining with the study of the heroic stories of Lu Shicai [0712 1102 2088] and others, exalted a contingent of good party members of their own units. The whole party exalted altogether 363 such person/times. Meanwhile, on the basis of carrying out ideological education, some commune and township party committees also punished a few persons who had seriously violated party discipline. Thus, not only were examples set for those party members who wished to study and directions indicated for those who wanted to exert themselves, but cases of punishments and rewards were made clear and the need to follow established rules was also demonstrated.

4. Launching the "two recalls and two examinations" activities and consolidating the results of rotational training. When engaged in the study of the "guiding principles," various commune and township party committees also organized the party members to launch the "two recalls and two examinations" activities--namely: to recall their efforts and behavior before they joined the party and to examine their present thinking and deeds; to recall their pledge upon entering the party and to examine their work these past few years and their contributions to the party. At the same time, they combined the experiencing of organizational life with a minor summing up of study, looking back at everyone's ideological changes and work performances since entering the party, and especially during the three years since the smashing of the "gang of four"; and

they used one or two major problems to seriously have everyone come up with a minor summary of himself. Then, relevant briefings were presented in small groups first, and certain good types were accordingly selected for mutual exchange at general meetings later. According to available statistics, 365 party members made statements at the mutual exchange proceedings of such meetings at various commune and township party training classes. After the "two recalls and two examinations," a party member and cadre at the Loutang Commune grieviously reminisced: Although I joined the party rather early, because there was a difference of opinion between myself and the secretary of the party branch of my original production brigade, I elaborated some fabricated data during the Cultural Revolution and caused that party branch secretary to suffer certain unrectified injustice. The party member therefore indicated that after the conclusion of the party training class, he would take the initiative to pay the secretary a visit and express his regret; he would also ask the organization to mete out appropriate punishment to himself. He thus was determined to earnestly absorb such experiences and lessons, and to atone for his past misdeeds with present strivings through practical action.

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FAN FEI VIOLATES ECONOMIC DISCIPLINE, RESISTS DISCIPLINARY ACTION

Beijing GUANGMING RIBAO in Chinese 1 Aug 80 p 3

[Article: "Former Deputy Chairman of Jiangxi Provincial Reconstruction Committee Fan Fei Seriously Violates Financial and Economic Discipline, Protests the Party's Disciplinary Action and Incurs the Indignation of Vast Numbers of Cadres and Masses"]

[Text] Fan Fei [5400 7378], former deputy secretary of the Jiangxi Provincial Reconstruction Committee, deputy chairman and concurrently secretary of the party commitee and chief of the Bureau of Construction Works, having committed the serious error of protesting the disciplinary action taken against him by the Communist Party, has incurred the indignation of vast numbers of cadres and the masses who demanded that serious disciplinary action should be taken against him.

By undertaking numerous unauthorized engineering projects, he is guilty of having seriously violated financial and economic discipline. Although repeatedly told by the provincial party committee to desist, he continued to go ahead with the projects which resulted in enormous waste. For example, he invested without authorization over 208,000 yuan in erecting a Bureau of Construction Works guesthouse at Hua Jing, a famous scenic area at Lushan. Aside from appropriating 80,000 yuan from funds earmerked for the maintenance of buildings at Lushan, the rest of the amount, including such materials as steel and cement, was paid for by the various companies under the bureau. While he was secretary and chief executive of the party committee of the engineering department of the Jiu Jiang Petroleum Refinery and power plant, he appropriated 6.7 million yuan for unauthorized investments in basic construction works. Instead of using the funds allocated by the state for certain state-approved basic construction projects or new construction projects, he engaged in a number of vast repair projects or used the money to set up welfare funds. He also advised the former head of the glass factory at Pingban in Jiangxi not to pay 2.4 million yuan which should be turned over to the national treasury, but to use the funds for the construction of two high-class guesthouses. Under his aegis, such organizations as the Bureau of Construction Works and the Supplies Company also misappropriated 2.6 million yuan

which rightfully belonged to the state, resorting to such devious means as withholding profits and selling state property.

Because of his serious abuse and dereliction of duty, the engineering departments of the refinery and power plant were mired in a sea of confusion. The loss from the wastage of bricks and gravel alone amounted to over 1 million yuan. In some industrial areas, the rate of absenteeism reached 75 percent and some absences were for as long as one and half years. Administrative expenses could not be met. Up to November 1978, while only one-third of the projected engineering work had been completed, all of the budget for administration had been exhausted and a deficit of 70,000 yuan had been chalked up.

That, however, did not curb this proclivity for high living at great public expense. From January 1977 to October 1978 alone, he frittered away over 15,000 yuan. Although the meeting to review the progress of engineering projects held in July 1978 could have been held locally, he arranged to have it held at Lushan instead. Although only some 40 people attended the meeting, meals were served to over 120 people. His wife, his daughter and his grandchild stayed over 20 days at Lushan, incurring an expense of 480 yuan for accommodations paid out of public funds. Furthermore, he claimed under false prtences over 2,290 yuan to cover expenses for attending the meeting. The amount was actually used to cover expenses for wining and dining and for changing cars six times and lodgings four times.

Worse still, Fan Fei was instrumental in setting up cliques by favoring the bad elements among his staff and making things difficult for the good workers. Sun Mugan [1327 2606 2704], a notorious ruffian led a group of attackers in raiding a certain military unit and looting it of 17 firearms. Surprisingly, Fan Fei promptly got him a membership in the Communist Party and promoted him from second-class worker to three important posts concurrently, namely, assistant manager of the head office of theprovincial constructiom company, chief of the workds department of the refinery and secretary of the party committee of the installations company. Tong Wenxue [0157 2429 1331], a well known immoral character, was promoted by Fan to be office chief of the Bureau of Construction Works. Those among the cadres who dared to speak up against such abuses were flagrantly denounced and falsely accused of wrong-doing. Because they dared to oppose such goings-on among the clique, Li You [2621 2589], deputy secretary of the Communist Committee of the Provincial Construction Materials Factory and He Qingdong [6320 1987 2639], head of the armed unit of the factory, were put on the blacklist and relieved of their duties in and out of the party without the approval of the higher authorities. Wei Guohua [7614 0948 5478], a clerk at the union of one of the companies under the Provincial Construction Bureau, who brought to the attention of the central and provincial committeen some of the problems similar to those created by Fan Fei without naming names, was labelled an "active counter-revolutionary element" and the Public

Security Bureau was asked to have him arrested. When the Public Security Bureau demurred, Fan finally named him "a political degenerate." Wei was stripped of his Communist Party membership, relieved of his duties as a cadre and given a demotion.

Actually, the party branch of the Provincial Construction Committee had called a meeting and had passed a resolution to strip Fan of his party membership for his grievious errors. The committee, however, came to his aid by showing him leniency. He was merely stripped of his duties in and out of the party and assigned to a low-level job in the countryside. Fan, however, not only refused to abide by the ruling, but instead accused the committee of making him a target of attack, thus incurring the justifiable indignation of vast numbers of cadres and the masses.

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PARTY AND STATE

'BA YI RADIO' COMMENTS ON CHINA'S CADRE POLICY

OW040222 BA YI RADIO (Clandestine) in Mandarin to China 1400 GMT 2 Sep 80

[Text] During and after the meeting of the Third Session of the National People's Congress we must not continue to use the old, erroneous line in solving the problems concerning cadres. In the past 20 years, the frequent transfer, dismissal, promotion and demotion of cadres of various nationalities of our party, particularly the leading cadres of the central authorities, were unmatched in modern or ancien' times, in China or elsewhere. At the end of the 1950's, owing to various reasons, thousands of cadres of our party were dismissed and replaced or persecuted. During the 10 years of great turbulence, more than 90 percent of senior- and middle-level cadres in the country were attacked, persecuted or pushed aside to various degrees. During the 3 years since the downfall of the gang of four, large numbers of cadres at various levels have again been transferred, including more than 3,500 senior- and middle-level cadres. [words indistinct]

During the period from the conclusion of the Third Session of the National People's Congress to the forthcoming 12th National Congress of the party, more than (?400) principal cadres of the party, the government and the army will be replaced according to a plan. [passage indistinct]

The present leaders want to use the method of taking strong measures against and replacing a large number of cadres to divert the discontent of the whole party and of the people of the whole country toward the erroneous line and policies and toward the principal leaders of the party Central Committee. Of course, some cadres' removal, which will be made during the 3rd Session of the 5th National People's Congress, was based on the decision of the 5th Plenary Session of the 11th CCP Central Committee [words indistinct]. The disposal of those cadres is completely correct.

Our party has not stipulated that a cadre should hold a position for a lifetime. However, the cadres [words indistinct], when they obtained great power, can only be promoted again and again or will abuse their

power by making arbitrary decisions. Even if they committed grave mistakes, we could not ask them to resign or step down. Take Mao Zedong for example. He suffered from serious paralysis and bad memory in his later years and lost much of his ability, yet his instructions were still used in important documents. [words indistinct] Even today, many principal cadres of the CCP Central Committee, [words indistinct], the State Council, the NPC, the CPPCC, the Ministry of Defense and the major military regions are old and weak and lack the ability to work. If those comrades continue to hold leading posts, it will cause harm to our work, weaken the leadership, reduce working efficiency and hamper the growth of cadres who are in the prime of life.

What is ever more serious is the fact that those comrades, due to their rigid political stand, are unable to eliminate the influence of errors, old line policies and ideology. At the same time, we cannot but note that among those cadres who will be replaced by others, many of them (?are not connected with) the gang of four [words indistinct]. Their main problem [words indistinct] is that they have criticized and expressed opinions different from those of Vice Chairman Deng and Chairman Hua. Therefore, we can see that the handling of those cadres runs counter to the guiding principles for innerparty political life and is not in accord with the decision of the party Central Committee on promoting stability and unity.

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'BA YI RADIO' ANALYZES INDIFFERENCE OF NPC DEPUTIES

OW061126 BA YI RADIO (Clandestine) in Mandarin to China 1400 GMT 5 Sep 80

[Text] Many deputies were indifferent and refused to state their positions at the panel discussions of the Third Session of the Fifth NPC. Some of them spoke for about 5 or 6 minutes without voicing support or opposition because they were dissatisfied with certain leaders of the central authorities whose recent appointment of government officials was objectionable, and because they were disappointed with Yao Yilin's report on the national economic plan and Wang Bingqian's financial report. The two reports boasted of the advantages of the economic readjustments, the great achievements and the plans to achieve this and that. However, they never introduced the measures and approaches to guarantee the success of these plans. The reports called for "making new progress," "making a success of the 1980-81 plan," "fulfilling the tasks and major targets" and so on. These are abstract and high-sounding remarks. This is not much different from the past practice of boasting of the "excellent situation" and "bright future" after citing numerous production figures at the conferences, only to be followed by errors, failures and retreats.

Chairman Hua declared at the 5th NPC that the 10-Year Economic Development Plan 1976-85 called for completing 10 big iron and steel bases, 10 big oil and gas fields and 30 big power stations, as well as producing 800 billion jin of grain. He added that marked results should be made within 3 years. However, time passed and almost none of the projects was fulfilled according to the plan. Consequently, readjustments had to be introduced. Hundreds of projects in heavy industry and capital construction were stopped, causing the state losses amounting to hundreds of billions of yuan. At the panel discussion, Yao Yilin tried to play down these serious losses by referring to them as "difficulties in the course of advance" and "drawbacks in the course of exploration."

As a rule, Yao Yilin and Wang Bingqian should have emphasized in their reports the damage brought about by exercising the will of the higher-ups, giving blind orders, grandiosity, foolhardiness and rash advance in the course of implementing the 10-year plan, so as to draw lessons from these

bitter experiences and to commit fewer similar mistakes or never repeat them at all. But the reports only dealt with the achievements in economic readjustment, as if what has been done in the past few years has been perfectly right. This attitude and approach are wrong. In order to avoid the undesirable effect on the enthusiasm of cadres and masses for production and protecting the prestige of the party and state leaders, the press may be allowed to carry no reports or few reports on discouraging events. But the reports to the session of the NPC, the highest organ of state power, should present the truth, including the achievements and good experience, as well as the causes of failure, mistakes and the harm they have done to the state and the people. It is especially necessary to point out truthfully the leaders who are charged with the major responsibility, directly or indirectly. Having understood the overall facts, the NPC deputies will be best qualified to speak and will have a definite object in their speeches. More importantly, having understood certain leaders' mistakes and specific performance, the deputies will be able to vote for the appointment and removal of state leaders in a conscientious and responsible manner. This will prevent blind voting according to a list furnished solely by a few people in the central authorities, as was done at the time of the gang of four.

Therefore, that some deputies were indifferent and refused to commit themselves in their speeches at the NPC session was directly related to the fact that some leaders of the central authorities still regarded the NPC as a necessary external form and looked upon the deputies as slaves; thus, also, the speakers made reports in a seemingly elegant but perfunctory manner.

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HONG KONG PAPER ON BEIJING POWER SHIFTS

HK050301 Hong Kong WEN WEI PO in Chinese 5 Sep 80 p 2

["Random Talk on the News" by Chao Tung: "Collective Leadership; Peaceful Transfer of Power"]

[Text] Premier Hua Guofeng revealed when receiving Japanese Foreign Minister Ito that he has already handed in his resignation to the party Central Committee. The party Central Committee will recommend to the NPC that Zhao Ziyang succeed him as premier.

Talking to Ito, Hua Guofeng praised Zhao Ziyang as a man of great ability. Zhao Ziyang told Ito at lunch: "The foreign press accused me of pushing a capitalist policy in Sichuan and Guangdong. In fact I was merely following the policy of Hua Guofeng and Deng Xiaoping."

These words are realistic. When Zhao Ziyang was still working in Sichuan last year, his administration naturally followed the broad guidelines laid down by the Central Committee. He carried out the central intentions in an outstanding way, first relaxing the agricultural policies and organizing pilot projects in the expansion of industrial enterprise self-management rights in Sichuan. Practice has proven that he has the ability to govern the country.

After the Third Plenum, the Central Committee consistently followed the ideological line of taking practice as the sole criterion for testing truth, consistently carried out political, economic and organizational reforms and sent a stream of party workers and economic experts abroad to study conditions, especially the experiences of Yugoslavia and Romania. Hua Guofeng visited Yugoslavia and Romania, and Deng Xiaoping went to the United States and Japan. These events all cleared the way for the trial-point work in Sichuan.

An entirely new atmosphere pervades this NPC session. Many high-ranking party leaders are resigning from their posts as premier or vice premier and handing over their power to a generation in the prime of life to

organize a new State Council. The NPC supervises the State Council, advancing towards a modern state system. Major reforms are being carried out in the economic system. In the personnel system, party and government are divided, and the party will no longer take the place of the government. The life service system is being abolished and people will be prevented from holding too many posts at the same time. The legal system is being strengthened, and officials who issue blind commands will be impeached and seriously punished.

Everyone praises the present line as extremely good. Such a good line certainly did not arise for no reason at all, nor did it fall from heaven. It is the result of the Central Committee persisting in emancipating the mind and in practicing collective leadership.

The arbitrary rule of an individual emerged after 1959. This hindered the bringing into play of collective wisdom, and the habits of "do whatever the superior says" and "whatever the superiors say is correct" formed among the cadres. Everyone became too lazy to use his brains, thinking became ossified, and natural talent could not come to the fore. The wisdom of one person replaced the talent and wisdom of the collective, and the erroneous ideas of one person became the action guidelines for the whole country. Enormous numbers of foolish things were done.

The party Central Committee has practiced collective leadership for the past 3 years, pooling the wisdom and efforts of everyone. Nobody has claimed to be more omniscient than anyone else, claimed to be the embodiment of truth or insisted on having the sole say. Collective wisdom has been brought into play in high degree.

Apart from bringing into play the collective wisdom of China, the central authorities have also humbly learned the practical experiences of foreign countries. They have gone out to learn the strong points and wisdom of others, thus changing the stupid methods of the past in practicing a closed-door policy, claiming sole eminence in making revolution, and looking at the sky from the bottom of a well.

One can draw distinctions by making comparisons. Since widening our vision, we have discovered points worth borrowing from other countries in the political, economic and personnel systems for running the state.

In order to stimulate reform, Hua Guofeng, Deng Xiaoping and others have handed over their government powers in an orderly way to successors in the prime of life; this has not caused any domestic or international instability or shock. A peaceful transfer of power like this has rarely been seen in socialist countries.

This is the result of upholding collective leadership. With collective leadership, a democratic situation can appear in the party, and an excellent situation of transition to democracy can appear in the state system.

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HONG KONG PAPER ON INTERROGATION OF TANG KE

HK050428 Hong Kong TA KUNG PAO in Chinese 5 Sep 80 p 2

["Political Talk" column by Shih Chun-yu: "The Official Hat Is Not So Easy To Wear?"]

[Text] Tang Ke, minister of metallurgy, was summoned by the people's deputies yesterday to answer questions at a meeting of the Beijing delegation to the NPC session. Two of his vice ministers were with him.

An arrangement of this kind appears to be aimed at handling a problem in a way that is neither excessive nor superficial. The person concerned makes a clean breast of things without a great storm being stirred up.

This is a good example of how people's deputies should exercise their rights and supervise the work of the government. In the future, cadres of all grades must think of their responsibilities to the people.

On the other hand, however, it seems to be doubtful whether the minister's replies can pacify people's anger. Many parts of the news reports on this interrogation session lack sufficient detail. For instance, the reports made no mention at all of the professions of the deputies questioning Tang Ke or of the authoritativeness of their knowledge of capital construction and iron and steel enterprises. So far as people abroad who are interested in major Chinese affairs are concerned, the materials provided are inadequate.

Secondly, the news report mentioned five main questions (How much investment is required? What is the output? Is it worthwhile? Is the plant site appropriate? What is the quality of the project?). Whether it was the replies or the reporting that was not clear, some points were not fully explained in the replies.

Thirdly, after Tang Ke had given his answers, a number of deputies put some more questions, presumably because they still harbored doubts about

his replies. The two vice ministers answered these questions. The report said nothing at all about what questions had been put and what answers were given in this second stage.

The Baoshan Iron and Steel Plant is one of the largest projects in the whole country in recent years and moreover there are diverse rumors about it. It is quite natural that the whole country should be concerned about it.

Some reports say that investment in the project has increased by several times the original figure and may be increased still further in the future. The question therefore arises of how much the investment actually is. The report on the interrogation of Tang Ke did not give his reply to this question. There may be secrecy factors involved.

On the morning of Tang Ke's interrogation, RENMIN RIBAO carried a report entitled "China's Machine-Building Industry Manufactures Part of the Equipment for Baoshan Iron and Steel Plant." We do not know if this was in some way connected.

The replies given by Tang Ke and the removal of Song Zhenming, petroleum minister, from his post may not give full expression to people's views. But no matter what, this is the new style of Chinese politics, and importance is attached to political as well as to economic reform.

When the Tianjin Court jailed four cadres of the Oceanic Oil Exploration Bureau for dereliction of duty, a leading cadre of another unit said, the sentencing of these four today constitutes a lesson for all leading cadres, a lesson we must absorb. The official hat will not be so easy to wear in the future.

These words are well intentioned. However, whether as parents or as servants of the people, great responsibilities are involved, and everyone should have known long ago that the official hat is not easy to wear. It is because official hats have been worn too easily in recent years that problems have piled up to the sky and so many miscarriages of justice have been caused.

However, no matter what, it is naturally a good thing that people are feeling afresh the weight of their official hats.

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HONG KONG PAPER ON CRITICISM OF SONG ZHENMING

HK080960 Hong Kong WEN WEI PO in Chinese 8 Sep 80 p 3

["Random Talk on the News" by Lin Wei [2651 3837]: "The Aftershocks of the Song Zhenming Affairs Are Not Yet Over"]

[Text] It appears that the aftershocks of the Bohai No 2 accident are not yet over. After Song Zhenming was dismissed and Kang Shien was given a serious demerit, people thought that the affair was over. However, the Chinese Judiciary Department announced during the NPC the public trial of four officials of the Offshore Oil Exploration Bureau involved in the accident and the sentencing of its director, Ma Junxiang, to 4 years imprisonment and the others to from 1 to 3 years. Amid the acclaims of happy astonishment, the people thought that the matter was finally settled.

But things again took an unexpected turn: It seems that the self-examination written by Song Zhenming has not been approved by some people. According to a report, some of the delegates to the NPC sharply criticized the biased and rash handling of the incident by Song Zhenming. Moreover, people can also see in the press the dissatisfaction over Song Zhenming's written self-examination. GUANGMING RIBAO reported that Xue Baoding, director of Industrial Economics Research Institute of the Chinese Academy of Social Sciences, said: Comrade Song Zhenming's self-criticism report used the term "because of arrogance" four times to explain that arrogance was the cause of the serious mistake and blunder. However, how could a change in the wind force from scale 9 to 10 and again to scale 11, lying about military information and covering up errors be related to arrogance? Where is there any trace of the "three honests and four stricts?"

In dealing with the four officials of the Offshore Oil Exploration Bureau, they have actually gotten rid of the bad habit of "punishment is not meted out to senior officials." It is no longer a case of the higher up the official, the lighter the sentence but a case of acting in accordance with the law and determining punishment according to relative responsibility.

As a result, the director of the Offshore Oil Exploration Bureau who had greater responsibility was given a longer sentence.

However, was the handling of Song Zhenming completely satisfactory?

Song Zhenming himself was directly responsible for the Bohai No ' accident. In his report, he also admitted to "still making arrangements for the drilling of another well before the end of the year and also calling for progress on the task of obtaining soil samples. This spurred the Offshore Oil Exploration Bureau to take hasty action and race against time without paying attention to safety precautions and prompted 'Bohai No 2' to take a chance in being launched and towed. This caused the serious disaster."

According to the "provisional State Council's stipulations regarding reward and punishment for functionaries of state administrative organs" now in effect, any state functionary of a state administrative organ who is guilty of a dereliction of duty resulting in a violation of state policy, laws and decrees and government decisions, orders, rules and regulations, neglect of duty, bungling work, practicing fraud and deception of the organization, which has not yet constituted an offense, should be subjected to disciplinary action. Disciplinary action includes issuing a warning, giving a demerit and a serious demerit, downgrading, demotion, removal from office, retention on probation and dismissal.

According to Article 187 on "Dereliction of Duty" under Chapter VIII of the criminal law promulgated last year, "any state functionary who inflicts heavy losses upon public property, the state or the people due to dereliction of duty will be sentenced to detention or imprisonment for not more than 5 years."

Song Zhenming's dereliction of duty is a recognized fact. However, we cannot categorically say whether or not he has violated the criminal law and whether there is any proof that he violated Article 10 [as published] of the criminal law which states "a person who should have foreseen that his action, which results in harm, will endanger society but has failed to do so due to negligence or has foreseen the danger but believed he could avoid it" that resulted in the sinking of "Bohai No 2." If we stated this categorically we might be held in contempt of court or be accused of tampering with justice.

If Song Zhenming is guilty of dereliction of duty, then he not only should be subjected to disciplinary action, but he should also be brought to trial and punished according to law.

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BRIEFS

BOOKLET ON ELECTIONS--Beijing, 23 Aug--The Qunzhong Publishing House has published a booklet entitled "Questions and Answers Concerning Elections." It contains 120 questions and answers dealing with various topics on elections, including the distinction between socialist and capitalist elections; the history of elections in China; the nature, principle and spirit of China's new electoral law; and methods and procedures of elections in China. [Beijing XINHUA Domestic Service in Chinese 0123 GMT 23 Aug 80 OW]

ANHUI CPPCC COMMITTEE MEETING--The Anhui Provincial CPPCC Committee on 16 August held a meeting of leaders of the committee work groups to study the speech by Liu Lantao, vice chairman of the national CPPCC committee. At the meeting the leaders of the committee work groups exchanged experience in their work and activities in the past year and discussed and formulated major tasks for their activities in the next 6 months. Chairman Zhang Kaifan and Vice Chairman Sun Youqiao of the provincial CPPCC committee attended the meeting. Zhu Nong, secretary-general of the provincial CPPCC committee, presided over the meeting. Zhang Kaifan spoke at the conclusion of the meeting, calling for further emancipating the mind from the mental shackles imposed by Lin Biao and the gang of four, giving full expression to democracy in the course of carrying out the modernization plan and in striving for the motherland's unification, and conducting in-depth study and investigation of work. He also reviewed damages caused by natural calamities to Anhui and the industrial and agricultural production for this year. [OW011109 Hefei Anhui Provincial Service in Mandarin 1100 GMT 29 Aug 80 OW]

JILIN YANBIAN FOUNDING ANNIVERSARY--On the occasion of the 28th anniversary of the founding of the Yanbian Korean Autonomous Prefecture, the Yanbian Prefectural CCP Committee and People's Government and the Yanji Municipal CCP Committee and People's Government jointly held a report meeting on 2 September. Comrade (Tao Ronghao), secretary of the Yanbian Prefectural CCP Committee, made a report. [SK041257 Changchun Jilin Provincial Service in Mandarin 1100 GMT 3 Sep 80 SK]

JILIN COUNTY-RUN NEWSPAPER--Huaide County in Jilin Province resumed the publication of its county newspaper, HUAIDE BAO, on 3 September. This is the first county newspaper in our province which resumed publication. HUAIDE BAO started its publication in 1956 and suspended it in 1962. It played a positive propaganda role in the socialist revolution and construction in the past. Following its restoration, HUAIDE BAO will publish two issues a week, which will cover information on the party's line, principles and policies; scientific and technological knowledge; model experiences obtained in various fields of work; newly emerged model individuals, deeds, thought and values. It will also devote itself to the work of disseminating information on Marxism, Leninism and Mao Zedong Thought, breathing life into urban and rural cultural circles and honestly and accurately reflecting the demands and desire of the people throughout the county. [SK041257 Changchun Jilin Provincial Service in Mandarin 2200 GMT 2 Sep 80 SK]

JILIN BRIBERY CASE--The Changchun Municipal People's Procuratorate recently cracked a big bribery case in Jilin Province. (Dong Xiesheng), the criminal, was a committee member of the party organization at the Changchun Municipal Machinery Parts Company. He accepted some 10,000 yuan in bribes, some 4,000 jin of grain and fraudulently absconded with some 10,000 yuan of state funds since 1957 by exploiting his position. This case will soon be submitted to the Changchun Municipal Intermediate People's Court for public prosecution. [SK021202 Changchun Jilin Provincial Service in Mandarin 1100 GMT 25 Aug 80 SK]

LIAONING LOCAL PEOPLE'S CONGRESS--The first session of the 8th Jinzhou Municipal People's Congress was held 21-25 August. At the session a Standing Committee for the congress was established. (Liu Luwen) was elected its chairman, and (Yang Hui) was elected mayor of the municipality. The first plenum of the Sixth Jinzhou Municipal CPPCC Committee was held 18-26 August. (Sun Yiping) was elected chairman of the municipal CPPCC committee. [Shenyang Liaoning Provincial Service in Mandarin 2200 GMT 29 Aug 80 SK]

NATIONAL SYMPOSIUM IN LIAONING--A national symposium on urban traffic control was held 30 August in Luda Municipality in Liaoning Province. Participants at the symposium discussed and exchanged experiences in comprehensive traffic control. Public security bureau chiefs in charge of communications in various municipalities in Liaoning Province and responsible persons of traffic police brigades attended the symposium. [Shenyang Liaoning Provincial Service in Mandarin 1100 GMT 30 Aug 80 SK]

SHANDONG LAWYER SYSTEM--The Standing Committee of the Shandong Provincial People's Congress held a forum 29 August on PRC provisional regulations on lawyers, discussing ways to enforce and improve the system on lawyers so as to strengthen socialist democracy and the legal system. Zhang Zhusheng, vice chairman of the Standing Committee of the provincial

people's congress, presided over the forum. Yang Jieren, vice chairman of the Standing Committee of the provincial people's congress, attended along with some 30 responsible persons from the provincial people's government, the provincial CPPCC committee, the provincial judicial office, the provincial civil affairs office, the provincial procuratorate, the provincial higher people's court, the provincial cadres' school of political science and law, the provincial trade union council, the provincial women's federation, Shandong University, Shandong Engineering Institute and departments concerned in Jinan Municipality. [Jinan Shandong Provincial Service in Mandarin 2300 GMT 30 Aug 80 SK]

SHANDONG OVERSEAS CHINESE ACTIVITIES--The Shandong Provincial Federation of Returned Overseas Chinese invited overseas Chinese and their dependents who are teaching at universities and colleges to a study-visit tour at the (Qilu) Petrochemical Industry General Company and Qingdao Municipality, Shandong Province, between 11 and 21 August. They were greatly inspired after they saw and studied the excellent situation in the four modernizations. They were warmly welcomed everywhere by leading comrades of party, government and army organs at all levels. Gao Keting, secretary of the provincial party committee and chairman of the provincial CPPCC committee, and (Li Zhiwen), Standing Committee member of the provincial party committee and secretary of the Qingdao Municipal Party Committee, received all visitors in Qingdao Municipality. [SK311224 Jinan Shandong Provincial Service in Mandarin 2300 GMT 28 Aug 80 SK]

SHANGHAI PARTY JOURNAL--According to JIEFANG RIBAO, the primary-level party journal of the Shanghai Municipal CCP Committee--ZHIBU SHENGHUO [PARTY BRANCH LIFE]--will resume publication on 6 October. On 2 September, two meetings were held in connection with the distribution of the journal and specific measures were adopted in regard to the popularization of and subscription to the journal. All party and CYL members as well as nonparty activists who are eager to become party members may apply to party branches for subscription to the journal. [Shanghai City Service in Mandarin 2300 GMT 2 Sep 80 OW]

SHANXI LAWYERS TRAINING CLASS--Taiyuan, 31 Aug--The first lawyers training class sponsored by the judicial department of the Shanxi Provincial People's Government concluded on 26 August. One hundred lawyers who completed the training courses will return to their own localities to practice law. [OW010049 Beijing XINHUA Domestic Service in Chinese 0730 GMT 31 Aug 80 OW]

TIANJIN CPPCC COMMITTEE MEMBERS--On 26 August leaders of the Tianjin Municipal CCP Committee, the Standing Committee of the Tianjin Municipal People's Congress, the Tianjin Municipal People's Government and the Tianjin Municipal CPPCC Committee, including Huang Zhigang, Hu Qili, Zhang Huaisan and Wang Enhui, received Tianjin CPPCC Committee members attending the third session of the Fifth National CPPCC Committee. [Tianjin City Service in Mandarin 1430 GMT 26 Aug 80 SK]

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MILITARY AND PUBLIC SECURITY

SUPPORT-ARMY, SUPPORT-GOVERNMENT CONGRESS OPENS IN TIANJIN

Tianjin TIANJIN RIBAO in Chinese 26 Jul 80 p 1

[Article: "Strengthen Army-Government, Army-People Unity To Build a New Tianjin"]

[Text] On the eve of the 53d anniversary of the founding of the Chinese PLA, leadership organs of the Tianjin Municipal People's Government, the PLA Tianjin Garrison District, and the military units stationed in Tianjin jointly held a people's congress of representatives of advanced collectives and advanced individuals in supporting the army and giving preferential treatment to families of revolutionary armymen and martyrs, and in supporting the government and cherishing the people. The congress was solemnly opened yesterday morning. At the 3-day congress, the city's work of supporting the army and giving preferential treatment to the families will be summed up, experiences exchanged, models set, and the advanced cited. The congress will study solutions to new problems under new conditions in the new situation of army-government and army-people relations, and will formulate and adopt a "pact for supporting the army and giving preferential treatment to the families and for supporting the government and cherishing the people."

Attending the congress are Hu Qili, Wang Yifu [3769 0001 1133], Cao Xikang [2580 6007 1660], Yan Tongmao [7051 0681 5399], Xu Cheng [6079 6134], Yang Zi'an [2799 1311 1344], Wang Ke [3769 0344], Zhu Jihong [2612 0679 3163], and He Rong [0149 2827], leading comrades of the municipal party committee, the municipal people's congress standing committee, the municipal people's government, the Tianjin Garrison District, and the military units stationed in Tianjin as well as responsible persons of the municipal federation of trade unions, the municipal CYL party committee, and the municipal women's federation.

A total of 444 persons are attending this congress, and of them 349 are specially invited delegates and nonvoting delegates. Among the persons attending the congress are old Red armymen and old cadres who fought on many fronts; old models in supporting the army and assisting the frontline during the War of Resistance Against Japan and the War of Liberation; representatives and Lei Feng-type soldiers of advanced regiments, battalions,

and companies in doing good deeds for the people wholeheartedly; and advanced workers, peasants, intellectuals, leading cadres, and civil administration personnel in supporting the army and giving preferential treatment to the families. This is a grand gathering of heroes in the work of supporting the army and the government and is also a grand meeting of army-people unity.

Yesterday's session was presided over by Wang Yifu, deputy chairman of the municipal people's congress standing committee. Representatives of the Young Pioneers and representatives of the trade union, youth league and women's organizations delivered speeches expressing their warm congratulations.

Mayor Hu Qili gave a speech at the session. He said that "the army cherishing the people and the people supporting the army, with both of them uniting as in a big family" is a glorious tradition of our party, is a cherished heritage of our subduing the enemy and of doing well in revolution and construction.

Mayor Hu Qili said: The army and people of Tianjin, like those of the entire country, have a glorious tradition of uniting for combat. The city's ninth people's congress put forward the objective of the struggle by the people of the city in the new historical era of socialism: build Tianjin into a modernized industrial base, a scientific and technological base and a foreign trade export base, build it into a new-type socialist city. This requires that we strengthen army-government, army-people unity, develop the excellent situation of stability and unity, and together make great efforts with one heart and one mind. He emphatically pointed out: the local administration bears an even greater responsibility for strengthening army-government, army-people unity. Each department at every level of government must conduct widespread publicity campaigns, under the new historical conditions, concerning the important significance of strengthening army-government, army-people unity, and further establish among the masses the social habit of loving, learning from, and supporting the PLA; make concern and support for the PLA's modernization an important item of work at every level of government and conscientiously do the work well; warmly welcome and make proper arrangements for demobilized veterans or armymen transfered to civilian work when they come to the locality to take part in industrial or agricultural production and other work; show solicitude for the families of martyrs and armymen and for revolutionary disabled armymen and give them special treatment in production and life, earnestly implementing all preferential treatment policies; and have each level of government strengthen its leadership over the work of supporting the army and giving preferential treatment to the families.

Cao Xikang, commander of the Tianjin Garrison District, and Yang Zi'an, political commissar of the 32857 Unit, delivered speeches at the session. In their speeches they paid high tribute to the close interdependence of the people and armed forces of Tianjin and to their deep class feelings of kinship. They went on to say: We must further strengthen the ideological

education work concerning supporting the government and cherishing the people, educating the broad numbers of officers and men to consciously respect the leadership of the local party committee and government, to respect the mass organizations, and to exemplarily execute all policies of the party and all laws and decrees of the state; vigorously support industrial and agricultural production, help the communal and team factories to develop production, and expand the collective economy; give assistance to the local government in maintaining public order and security; open-mindedly study the experience of the people of Tianjin in constructing the four modernizations and promote this construction by the armed forces; and properly deal with the problems existing in army-government and army-people relations, making regular checkups to see that the three main rules of discipline and eight points for attention are being carried out, consciously safeguarding the army-government and army-people unity, and rendering new service to the defense and construction of a new socialist Tianjin.

In the afternoon the delegates discussed problems in supporting the army and giving preferential treatment to the families and in supporting the government and cherishing the people.

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MILITARY AND PUBLIC SECURITY

TIANJIN GARRISON DISTRICT SETS CRITERIA FOR AWARDS

Tianjin TIANJIN RIBAO in Chinese 26 Jul 80 p 2

[Article by Chai Aichen [2693 1947 6591] and Shi Zhixin [4258 1807 2450]: "Tianjin Garrison District Stipulates Terms for Awarding the Advanced"]

[Text] Tianjin Garrison District recently stipulated the terms for awarding advanced armed forces departments and advanced full-time armed forces cadres and decided to launch throughout the municipality activities at the basic level to appraise and choose the advanced in these two categories.

The terms for awarding the advanced basic-level armed forces departments are: firmly and thoroughly carrying out the party's line and its general and specific policies; consciously obeying the leadership of the party committee and the higher-level military departments; enthusiastically giving the party committee good advice; closely centering on the construction of the four modernizations and on the party's central task of developing the militia; and vigorously launching activities for the militia to become advanced units in the "three implementations." At the same time, they must build themselves up well, be thorough in their work style, cooperate well internally and externally, observe discipline and abide by the law, and be free from politically troublesome incidents. The terms for advanced full-time armed forces cadres are: earnestly studying Marxism-Leninism, Mao Zedong Thought; firmly supporting and carrying out the party's line and its general and specific policies; exemplarily abiding by party discipline and state law; centering on running the militia well during the four modernizations; endeavoring to gain professional proficiency; being familiar with the mastering the characteristics of their unit's production and the laws of production in general; organizing the militia to engage in army-government training; and fulfilling all assignments given them by higher levels.

Tianjin Garrison District has exhorted the full-time armed forces cadres throughout the district to fully understand the important significance of launching this activity and to vigorously contribute their strength to the increased building up of the militia. The comparison and assessment of advanced departments and advanced cadres must be carried out on the basis

of summing up the advanced units' activities in the "three implementations" of basic-level militia work. Those advanced departments and advanced cadres whose achievements are outstanding will be cited for meritorious service or receive honorary titles. The garrison district stipulates: For advanced armed forces departments and advanced full-time armed forces cadres to be cited for meritorious service, third class, they must be examined by the party committee of their respective units and the results of this examination forwarded to the prefectural or county armed forces department for approval; for them to be cited for merit, first or second class, and to receive honorary titles, they must be examined by the party committee of their respective unit and by the prefectural or county armed forces department, and the results of the examination forwarded to the garrison district for approval.

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MILITARY AND PUBLIC SECURITY

TIANJIN GARRISON BEGINS MILITIA IDEOLOGICAL EDUCATION CAMPAIGN

Tianjin TIANJIN RIBAO in Chinese 26 Jul 80 p 2

[Article by Ping Tianlu [7458 1131 4845] and Shi Zhixin [4258 1804 2450]: "Vigorously Strengthen Militia's Political-Ideological Work"]

[Text] On 4 July, the Political Department of Tianjin Garrison District convened a meeting that drew up a plan for launching an educational campaign among the great number of militiamen throughout the city on "loving the socialist motherland and consciously being good militiamen."

In order to help the great number of militiamen to understand our motherland's past, present and future, the Tianjin Garrison District has compiled the educational materials for this campaign, and a few days ago printed the materials and distributed them to armed forces departments in each prefecture and county. The teaching material is divided into four subjects: the vast territory of the Chinese nation, its rich natural resources, its long history and its magnificent civilization, and the outstanding achievements of our people's motherland and nation in the courageous struggles throughout their existence; the correct understanding of the history of the 30 years after liberation and the firm belief in the brilliant future of socialism; the conscious performance of the militiamen's glorious duties; and the shouldering of the heavy burden of realizing and defending the four modernizations. The meeting exhorted people's armed forces departments and militia organizations at every level to fully recognize the importance and necessity of this education, to unify their understanding, and to strengthen leadership. They must closely integrate the educational campaign with the ideological reality obtaining among militiamen, get rid of formalism in political education and avoid empty preaching. Based on the fact that most of the militiamen are young, the education must be full of images, be intellectual and factual, making it a varied and interesting activity, e.g., organizing film viewings and inviting returned Overseas Chinese and comrades who have returned from visits abroad to deliver reports; organizing field trips; and organizing lively story-telling sessions by national heroes. This education, taking many forms and illustrated by the history and reality of China and foreign countries, will foster patriotic sentiments among the militiamen.

The meeting exhorted each unit, when carrying out patriotic education among the militiamen, to coordinate closely with the trade union, youth, and women's organizations in helping the great number of militiamen to acquire the communist outlook on life, a new morality and new habits, and lofty ideals; to correctly deal with the interests of the individual and of the revolution; and, while realizing the four modernizations, to temper themselves into a new generation which possesses a high degree of spirit and culture.

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MILITARY AND PUBLIC SECURITY

SUGGESTIONS FOR CIVIL DEFENSE CONSTRUCTION IN TIANJIN

Tianjin TIANJIN RIBAO in Chinese 30 Jul 80 p 2

[Article by He Chunsheng [0149 2504 5116] of the municipal civil defense office: "It Is Necessary To Devote Attention to Construction of Civil Defense Projects"]

[Text] The strategic position of Tianjin municipality is very important. In time of war Tianjin is charged with the glorious mission of guarding the coastal defenses and safeguarding the capital. This kind of a big city, with a concentration of industry and a density of population, certainly must integrate urban construction so as to plan and implement civil defense projects well. If this is not done, then, when war breaks out, the people will suffer tremendous losses. I have three suggestions for solving this problem:

1. The construction of civil defense projects must be brought into the overall urban construction program so that everything will be done to build an underground city that during wartime can sustain production, life, and the war effort.

2. Basic construction must be integrated so that underground air-raid shelters are built, and this is especially necessary for our city with its dense population, narrow streets, and few open spaces. Henceforth, there must be unified plans and construction for above ground and below ground so that the two spheres do not interfere with each other and each does its part of the job.

3. There must be a policy of maintaining the integration of war and peace time. In integrating urban construction with the building of civil defense projects, peacetime utilization as well as wartime requirements must be considered. In the present-day world there are many countries--for example, Sweden, Switzerland, Japan, America, and England--like this. According to our city's actual conditions, it is best when erecting houses and buildings, to make the building foundation suitable for deep digging and to construct some underground air-raid shelters. These, as a result of technology, can be used to house people and can also be used as stores,

mess halls, workshops, storehouses, and bicycle parks, thereby fully utilizing the space underground. In addition, we should consider, when integrating municipal construction, whether or not two underground tunnels should be built to the sea and the river. At present there are several car parks located at the Xiaobailou Concert Hall, the China Theater, the General Department Store, and near the Guanjin Building. Not only do these car parks affect traffic but they also detract from the city's appearance. It would be best to build several underground car parks and in peacetime divert vehicles to them, and on the surface put flower gardens in the middle of streets and thus beautify the city.

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BRIEFS

SHANGHAI PUBLIC ORDER--The number of criminal offenses in Shanghai has dropped on the whole, but murder, rape, robbery and other violent crimes are on the increase. There are still reports of violence committed by hooligans now and then. The public security departments have taken steps to severely punish all ringleaders and have continuously tried to make reform and reeducation through labor a success in order to truly improve the city's public order. [Shanghai City Service in Mandarin 1130 GMT 25 Aug 80 OW]

JINAN PLA LEADER--In view of his poor health and advanced age, (Xiao Hongyun), Standing Committee member of the party committee and chairman of the political department of the Jinan PLA Air Force, volunteered to serve as an adviser. The military commission of the party Central Committee approved his application 12 August. (Xiao Hongyun), 57, joined the revolution in 1940 and was appointed chairman of the political department of the Jinan PLA Air Force in 1977. He had been ill since October last year, so he quit in order to respond to the directive from higher levels that urged strengthening of leading bodies. [Jinan Shandong Provincial Service in Mandarin 2300 GMT 28 Aug 80 SK]

ZHEJIANG EXECUTION--The Hangzhou Municipal Intermediate People's Court called a meeting on 29 August 50 announce and carry out on the spot the death sentence on (Wu Xianfa), a murderer-robber, and to sentence (Wang Yuanyuan) and three other rapists to life imprisonment and other terms. Defendant (Wu Xianfa) murdered a young woman and stole her watch in August last year and then joined with two other criminals in ransacking a Shanghai family's home in November last year. All of his crimes were verified by material evidence and witnesses before the sentence was announced. The defendant pleaded not guilty and appealed to the Zhejiang Provincial Higher People's Court. After reviewing the case, the provincial higher people's court rejected the appeal and upheld the original sentence of the intermediate court. [Hangzhou Zhejiang Provincial Service in Mandarin 1100 GMT 29 Aug 80 OW]

HAINAN PLA CONSTRUCTION CIRCULAR--Recently, the political department of the Hainan Military District issued a circular, which demanded that the units and militia under its direct jurisdiction seriously implement the State Council decision on speeding up construction in Hainan, fully understand this decision of the State Council and sum up the experiences of building Hainan over the past 30 years since the founding of the country. This is in line with the policy decision on building Hainan into a tropical crop base and rare tropical timber base, so as to enable the region's people to become rich as soon as possible. All units must rapidly send work groups to go deep into the nearby communes and brigades to coordinate with the local departments concerned to publicize the State Council decision so that everyone knows about it. The PLA units of the regional military district must actively take part in opening up and building Hainan. The militia must give play to their role as backbone elements, while the PLA units must take part in afforestation. [Haikou Hainan Island Service in Mandarin 0330 GMT 27 Aug 80 HK]

LIAONING PUBLIC SECURITY CIRCULAR--The Liaoning Provincial Public Security Bureau recently issued a circular on stepping up protection of unripe crops to insure stable yields, urging public security organs in various localities to pay close attention to possible criminals and step up watch stations in crucial farmlands and granaries. Rural areas are urged to strengthen joint public secu ity defense, carry out the various security measures and harshly deal with the sabotage activities of criminals. [Shenyang Liaoning Provincial Service in Mandarin 1100 GMT 1 Sep 80 SK]

LIAONING CRIMINAL CASES--Since the beginning of 1980, the Liaoning Provincial Public Security departments have scored achievements in cracking major criminal cases. In the January through July period, over 90 percent of the major criminal cases in the province were solved and all major criminal cases that took place in Luda, Anshan, Fushun, Benxi, Jinzhou, Fuxin and Yingkou municipalities were cracked. [Shenyang Liaoning Provincial Service in Mandarin 1100 GMT 3 Sep 80 SK]

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Sept. 25, 1980